

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KENNETH GOODWIN,

Plaintiff,

Case No. 10-cv-11909

v.

HONORABLE STEPHEN J. MURPHY, III

TARA HAMILTON, et al.,

Defendants.

/

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION (docket no. 22) AND
DENYING MOTION FOR PRELIMINARY INJUNCTION (docket no. 3)**

This matter comes before the Court on the report and recommendation of Magistrate Judge Mona K. Majzoub. Judge Majzoub recommends that the Court deny Plaintiff's motion for a preliminary injunction.

A District Court's standard of review for a magistrate judge's report and recommendation depends upon whether a party files objections. With respect to portions of a report that no party objects to, the Court need not undertake any review at all. *Thomas v. Arn*, 474 U.S. 140, 149-50 (1985). Further, a failure to file specific objections constitutes a waiver of any further right of appeal from the district judge's adoption of the report. See *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 950 (6th Cir. 1981)

The last section of the magistrate judge's report and recommendation notified the parties that any objections were to be filed within fourteen days of service of a copy of the report as provided for in 28 U.S.C. § 636(b)(1) and E.D. Mich. LR 72.1(d)(2). See *Walters*, 638 F.2d at 950 ("we hold that a party shall be informed by the magistrate that objections must be filed within ten days or further appeal is waived.").

No objections have been filed and the time for filing them has passed, so the Court need not conduct any review of the report. Additionally, by not filing objections, Plaintiff has waived his right to appeal the Court's denial of his motion. See *Walters*, 638 F.2d at 950; see also 28 U.S.C. § 1292(a)(1) (granting circuit courts jurisdiction over appeals challenging district court decisions on preliminary injunctions). Accordingly, the Court will adopt the report and recommendation without review and deny Plaintiff's motion for a preliminary injunction.

WHEREFORE, it is hereby **ORDERED** that the report and recommendation (docket no. 22) is **ACCEPTED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's motion for a preliminary injunction (docket no. 3) is **DENIED**.

SO ORDERED.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: October 27, 2010

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 27, 2010, by electronic and/or ordinary mail.

Alissa Greer
Case Manager